

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CAPITAL ELECTRIC CONSTRUCTION )  
COMPANY, )  
Plaintiff, ) 8:05CV324  
v. )  
HOLDER CONSTRUCTION GROUP, ) ORDER OF DISM  
FIDELITY AND DEPOSIT COMPANY )  
OF MARYLAND, and ZURICH NORTH )  
AMERICAN INSURANCE, )  
Defendants. )

The matter before the court is the plaintiff's notice of dismissal with prejudice. Filing No. 7. The court finds that this matter should be dismissed with prejudice.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that, pursuant to FED. R. CIV. P. 41(a), the plaintiff's cause of action against the defendants is hereby dismissed in its entirety, with prejudice, and with the parties to be responsible for their own costs and attorney fees.

DATED this 7th day of September, 2005.

BY THE COURT:

s/Joseph F. Bataillon  
JOSEPH F. BATAILLON  
United States District Judge